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PATENT  
29250-000492/US



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Application No.: 09/846,200  
Filing Date: May 2, 2001  
Appellant: Gregory CIURPITA et al.  
Group Art Unit: 2665  
Examiner: J. Wozniak  
Title: METHOD AND APPARATUS FOR AUTOMATIC  
RECOGNITION OF LONG SEQUENCES OF  
SPOKEN DIGITS  
Conf No: 4515

**REPLY BRIEF UNDER 37 C.F.R. § 41.41**

June 16, 2006

**MAIL STOP REPLY BRIEF – PATENTS**

U.S. Patent and Trademark Office  
Customer Service Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Dear Sir:

Appellants respectfully request that the Appeal Board consider the enclosed remarks pursuant to 37 C.F.R. § 41.41, which are filed in response to the Examiner's Answer mailed on April 19, 2006.

**Remarks** begin on page 2 of this Reply Brief.

## REMARKS

On pages 6 and 7 of the Examiner's Answer, the Examiner asserted:

the examiner points out that by playing back a speed recognition result to a user, the system taught by Gerson is effectively prompting a user to verify a speech recognition result (*Col. 7, Lines 27-67*). Since the speech recognition result feedback taught by Gerson is also a prompt, it is thus compatible and combinable with the prompt interruption operation taught by Ammicht for interrupting such a speech recognition feedback prompt.

However, Appellants submit that the speech recognition result feedback of Gerson is not the same (or compatible) with the “prompt” of Ammicht. The prompting feature in Ammicht is directed to speech processing, and more particularly, to “man-machine” interactions where the machine is an arrangement that provides prompts to users and reacts to user responses in the form of natural speech as well as in the form of DTMF or other useful signals.<sup>1</sup> Ammicht further discloses that in some cases, a user is connected to an interactive voice response unit (VRU) and is asked to interact with that unit. For instance, in a typical VRU, the prompt is introductory in nature and presents the caller with a menu of choices.<sup>2</sup>

In contrast, the speech recognition of Gerson is related to a user-interactive voice command control system for a speech communications device which reliably enters a complete sequence of user-spoken utterances, such as an eleven-digit telephone number. Gerson further discloses that the voice command control system includes a speech recognition unit which recognizes a plurality of partial-sequence

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<sup>1</sup> See Ammicht, col. 1, lines 6-10.

<sup>2</sup> See Ammicht, col. 3, lines 52-54.

variable-length strings of user-spoken utterances as corresponding to a plurality of predetermined keywords, such as digits.<sup>3</sup>

Accordingly, Appellants submit that the “prompt” of Ammicht is performed during the introductory stage of the speech recognition; while the “prompt” of Gerson is performed during the recognized responses of the user-spoken utterances. Thus, Appellants respectfully submit that the “prompts” as suggested by the Examiner are not the same and compatible.

Accordingly, Gerson and Ammicht, individually or in combination, fail to disclose that the “immediately feeding back the recognition result for verification by the user, wherein the recognition result is interrupted by the user prior to being fed back for verification”, as recited in claim 1.

Further, Appellants submit that the alledged combination of Gerson and Ammicht would not be sufficient to render the claims *prima facie* obvious. Specifically, combining the teachings of Ammicht with the teachings of Gerson would at least substantially change the principle of operation of the prior art. For example, Gerson discloses that the recognized digits must be completed prior to continuing the digit sequence <sup>4</sup> (e.g., the recognition result cannot be interrupted by the user prior to being fed back for verification). Accordingly, if the alleged modification and/or combination of the prior art would change the principle of operation of the prior art invention, then the teachings of the reference are not sufficient to render the claims *prima facie* obvious. In re Rattf<sup>5</sup> Absent such a *prima facie* case of evidence, there would not have been any motivation to combine the references of Gerson and Ammicht in the manner as suggested by the Examiner.

<sup>3</sup> See Gerson, col. 2, lines 53-61.

<sup>4</sup> Gerson et al. , col. 3, lines 32-42, col. 7, lines 26-67.

<sup>5</sup> 272 F.2d 810, 123 USPQ 349 (CCPA 1959).

For at least this reason, Appellants submit claim 1 is patentable. Claims 13 is patentable for the similarly reasons discussed above. Claims 2-12 and 14-27 are also patentable for the reasons stated above with respect to either claims 1 or 13, as well as for their own merits.

Withdrawal of the rejections and allowance of each of the claims are respectfully requested.

### **CONCLUSION**

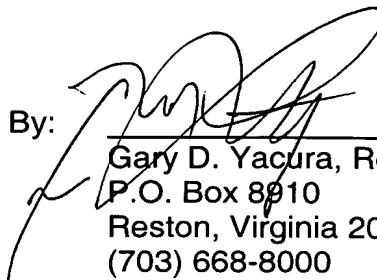
Appellants respectfully request that the Appeal Board consider the above remarks in conjunction with the remarks previously made in the Appeal Brief filed on March 6, 2006, and reverse the Examiner's anticipation and obviousness rejection of claims 1-27.

The Commissioner is authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By:

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